

**MOBRIDGE CITY COUNCIL
REGULAR MEETING
July 7, 2014**

Pursuant to due call and notice thereof, a Regular Meeting of the Common Council of the City of Mobridge, South Dakota was held in City Hall in said City on Monday, July 7, 2014 at 5:30 PM. Mayor Jamie Dietterle, Finance Officer Heather Beck, City Administrator Steve Gasser, City Attorney Rick Cain and the following council persons were present: Cox, Henderson, Cerney, O'Connell, Yellow Boy and Carlson.

ADOPT AGENDA:

The agenda was adopted on a motion by Yellow Boy, second by Henderson and carried.

MINUTES:

On a motion by O'Connell, second by Cox and carried, to approve the minutes from the June 16, 2014 regular meeting. Carlson abstained.

PUBLIC FORUM & VISITORS:

Karen Pfitzer and other 1st Ave residents were present to discuss the flooding problems on 1st Avenue West. Todd Goldsmith was present to inform the group of the advances the City has made with regards to the storm sewer. He also told the group that no infrastructure will help at this point. The City is doing what is reasonable.

Rhett & Suzanne Albers were not able to attend the meeting, but sent a letter with information on what they are doing to repair the Phansteel building. The roof will be repaired by the end of July and they have contacted a firm to look at options for renovation.

DEPARTMENT HEAD REPORTS:

Justin Jungwirth, Chief of Police

- Chief Jungwirth presented an Award of Merit to Officer Collin Smith.
- Code Enforcement Update
- Dispatcher Kristain Borah has recently completed his training and is a certified dispatcher. Moved by Carlson, second by Yellow Boy and carried, to approve a step increase for Borah increasing his hourly wage from \$13.07 per hour to \$14.32 per hour effective June 16, 2014.

Water/Wastewater

- Mayor Dietterle read a resignation letter from Superintendent Milliken effective June 26, 2014.
- O'Connell gave an update on some necessary repairs to the wastewater plant with an expected cost of \$7,000-10,000 to the chlorine system. Moved by Carlson, second by O'Connell and carried, to approve authorizing the repairs.
- Moved by Henderson, second by Cerney and carried, to approve new hire Eric Looyenga as full time summer water employee at \$12.74 per hour effective July 2, 2014.
- Moved by Carlson, second by Yellow Boy and carried, to approve advertising for a Water/Wastewater Superintendent.
- Gasser reported that they do have a potential candidate for the Superintendent position who has a Level III certification. He requested permission to spend \$1,800 to fly him and his wife to Mobridge for a meeting. Yellow Boy felt that the advertisement should run longer before the City spends the funds. Comments were made about the difficulty to find qualified persons that are willing to move to Mobridge. Moved by O'Connell, second by Carlson and carried 5-1, to approve spending up to \$1800 to fly the candidate to Mobridge for a meeting/interview. Yellow Boy voted no.

OLD BUSINESS:

REPEALING ORDINANCE – Moved by Cox, second by Henderson and carried, to approve the 2nd reading of Ordinance No. 9363, an ordinance of the City of Mobridge, South Dakota repealing Ordinance 6-4-14 pertaining to pit bull dogs.

ORDINANCE NO. 933

AN ORDINANCE OF THE CITY OF MOBRIDGE, SOUTH

**DAKOTA REPEALING ORDINANCE 6-4-14
PERTAINING TO PIT BULL DOGS**

BE IT ORDAINED by the City of Mobridge, South Dakota:

That Section 6-4-14 of Chapter 6-4 of Title of the Revised Ordinances of the City of Mobridge, South Dakota is hereby repealed.

NEW BUSINESS:

PUBLIC HEARING FOR PETITION TO VACATE ALLEY – A public hearing was held in regards to a petition that was received to vacate an alley from Jensen Properties, LLC. Hearing no comment for or against, moved by O’Connell, second by Henderson and carried, to approve a Resolution 14-10, resolution to vacate alley between Tracts S-2 and S-4, East Mobridge, located in the NE1/4 of Section 29, Township 124 North of Range 79 West of the 5th PM, Walworth County, South Dakota.

RESOLUTION NO. 14-10

**RESOLUTION TO VACATE ALLEY BETWEEN TRACTS S-2 AND S-4, EAST
MOBRIDGE, LOCATED IN THE NE1/4 OF SECTION 29, TOWNSHIP 124 NORTH
OF RANGE 79 WEST OF THE 5TH P.M., WALWORTH COUNTY, SOUTH DAKOTA**

WHEREAS, the owner of all of the real property abutting on both sides of the alley between Tracts S-2 and S-4, East Mobridge, located in the NE1/4 of Section 29, Township 124 North of Range 79 West of the 5th P.M., Walworth County, South Dakota have signed a Petition to vacate the street; and

WHEREAS, all of the property owned by the petitioners would be better used if the alley was closed; and

WHEREAS, that portion of the alley requesting to be vacated has never been opened.

WHEREAS, notice of time and place for hearing has been published and the hearing having been held;

NOW THEREFORE, the City of Mobridge hereby resolves to vacate the alley located Tracts S-2 and S-4, East Mobridge, located in the NE1/4 of Section 29, Township 124 North of Range 79 West of the 5th P.M., Walworth County, South Dakota, subject to any existing easements of record.

PAY REQUEST FROM MAGUIRE IRON – Moved by O’Connell, second by Carlson and carried, to approve pay request number 3A-C from Maguire Iron in the amount of \$207,169.74 for the Water Tower Project.

PAY REQUEST FROM CHAMPION COATINGS – Moved by Yellow Boy, second by Cox and carried, to approve pay request number 1 from Champion Coatings in the amount of \$245,955 for the Water Tower Refurbish Project.

PAY REQUEST FROM NORTH STAR CONSTRUCTION – Moved by Yellow Boy, second by Carlson and carried, to approve pay request number 2 from North Star Construction in the amount of \$26,100 for the airport hangar project.

CHANGE ORDER FOR AIRPORT HANGAR PROJECT – Moved by Yellow Boy, second by O’Connell and carried, to approve change order number 2, increasing the amount of the airport hangar project by \$7,623.04 to disassemble the cable operated portion of the bi-fold door that is installed and reinstall a strap operated system.

RESOLUTION 14-11, APPROVING COLLATERAL DOCUMENTS – Moved by O’Connell, second by Henderson and carried, to approve Resolution 14-11, approving the form of certain collateral documents relating to the Lease –Purchase of the swimming pool and declaring official intent to apply any donations toward the swimming pool be allocated to equity.

RESOLUTION 14-11

RESOLUTION APPROVING THE FORM OF CERTAIN COLLATERAL DOCUMENTS RELATING TO THE LEASE-PURCHASE OF THE SWIMMING POOL AND DECLARING OFFICIAL INTENT TO APPLY ANY DONATIONS TOWARD THE SWIMMING POOL BE ALLOCATED TO EQUITY.

BE IT RESOLVED by the City Common Council of the City of Mobridge, South Dakota (the "City"), as follows:

1. Form of Collateral Documents. The substantial form of the following documents, on file and open to public inspection with the Finance Officer, are hereby ratified and approved:

- The Declaration of Trust
- The Ground Lease
- The Lease
- The Certificate Purchase Agreement
- The Preliminary Official Statement
- The Rule 15C2-12 Certificate Authorizing Printing of A preliminary Official Statement
- The DTC Blanket Letter of Representations

2. Incorporation by Reference. The forms of the documents are incorporated herein by reference as if stated in full.

3. Allocation of Donations to Equity. All donations made by the public concerning the swimming pool project shall be allocated to the equity contribution of the City and shall be applied to redemption of principal of Certificates at their earliest possible call date.

LIBRARY BLINDS – Moved by Carlson, second by Cerney and carried, to approve the purchase of blinds for the library in the amount of \$4,159.91 to be paid from the Library Fine account.

FINAL LIBRARY PROJECT PAYMENT – An affidavit from Lieberman Construction, Inc. was received in order for the City to issue final payment for project. The affidavit stated the various subcontractors that were due payment totaling \$39,547.41. The project will then be paid in full. Moved by Carlson, second by Yellow Boy and carried, to approve paying the subcontractors directly from information provided on the affidavit.

CITY ADMINISTRATOR POSITION – Due to the upcoming retirement of Gasser, moved by Carlson, second by Henderson and carried, to approve advertising for the City Administrator position.

TRAVEL:

Moved by Yellow Boy, second by Carlson and carried, to approve a travel request for Justin Jungwirth to Washington DC August 18-21, 2014 for training on the HOPE program.

PAYMENT OF BILLS:

Moved by Cerney, second by Henderson and carried, to approve the following bills for payment:
A&B Business, supplies-391.93 ;Aberdeen American News, other services-186.00 ;Aberdeen Finance Corp., garnishment-550.00 ;Aflac, insurance-1,136.37 ;All Metal Manufacturing, prof services-14,562.19 ;Amber Jungwirth, prof services-800.00 ;Aqua Pure, Inc., chemical-175.47 ;Beadles Chevy, vehicle maintenance-450.09 ;Bestway Traffic, repairs-5,285.90 ;Brown & Saenger, supplies-13.30 ;Butler Machinery, repairs-186.28 ;C N A Surety, insurance-50.00 ;Cain Law Office, attorney fees-584.10 ;Center Point, books-44.34 ;Champion Coatings, prof services-245,955.00 ;Chemsearch, supplies-544.84 ;Chief Law Enforcement, vehicle replacement-662.07 ;Construction Supply Inc., prof services-2,227.91 ;Custom Sheet Metal, prof services-3,947.00 ;Dakota Pump &

Control, repairs-3,330.13 ;Dakota Supply Group, water meters/supplies-3,432.98 ;Davis Martin, mowing/contract labor-23,510.00 ;Deputy Finance Officer, postage-176.66 ;Duncanco, repairs-143.15 ;Ebsco, other services-456.98 ;Edwards Painting, prof services-1,000.00 ;Fabra Tech, prof services/supplies-86.00 ;Family Dollar, supplies-78.40 ;Ferguson Waterworks, supplies-250.63 ;Fern Goetz, refund-36.81 ;Great Western Bank, payroll taxes-24,728.90 ;GTC Auto Parts, supplies-234.21 ;Hach Company, chemical-129.01 ;Hawkins, chemical-1,533.00 ;HD Supply Waterworks, repairs-2,768.62 ;Heartland Waste, demo house -1,680.00 ;Heartland Waste, solid waste collection-16,432.50 ;Hettinger Mobridge Candy, supplies-458.30 ;HF Scientific, repairs-217.45 ;High Point Networks, computer-75.00 ;Homestead Building Center, supplies-126.11 ;Ingram, books-326.85 ;J&J Constuction, prof services-5,750.00 ;Jackie Quaschnick, travel-379.87 ;Jeff Piatt, refund-57.06 ;Jensen Rock & Sand, prof services-619.26 ;K&K Auto Parts, tires-87.00 ;Kary Lumber, prof services-2,373.97 ;Kohlman Biersbach & Anderson, prof services-11,300.00 ;Library Director, petty cash-34.80 ;Lieberman Construction, prof services-396.71 ;Lynn Schott, refund-24.87 ;Maguire Iron, Inc., water tower project-207,169.74 ;Maloney Inc., prof services-6,512.20 ;Marie Wollschlager, books-87.11 ;McLeods, supplies-212.73 ;MDU, utilities-5,349.67 ;Meierhenry Sargent, prof services-4,000.00 ;Merkels Foods, supplies-38.30 ;Midcontinent Communications, utilities-129.50 ;Midwest Pump & Tank, prof services-898.96 ;Milliken Electric, repairs-1,674.99 ;Mobr Manufacturing, repairs-100.00 ;Mobr Tribune, publishing-1,829.09 ;Mobridge Climate Control, repairs-363.12 ;Mobridge Economic Development, other services-16,250.00 ;Mobridge Gas Co., LP gas-300.00 ;Mobridge Rodeo Assn., rodeo-10,000.00 ;Mobridge Rotary, dues-140.00 ;MVTL Labs, testing-25.50 ;North Central Steel Systems, building maintenance-754.27 ;North Star Construction, prof services-26,100.00 ;Oahe Vet, prof services-90.00 ;Office Depot, supplies-67.21 ;Pete Lien & Sons, chemical-3,957.64 ;Print Market, prof services-26.98 ;Quenzer Electric, repairs-175.59 ;Rodenburg Law Firm, garnishment-150.00 ;Runnings, supplies/repairs-2,919.61 ;SD Dept of Revenue, water samples-624.00 ;SD Library Network, prof services-337.50 ;SD Secretary of State, prof services-30.00 ;SDRS Supplemental Retirement Plan, retirement-100.00 ;Slater Oil, diesel-164.15 ;Slumberland Furniture, prof services-1,920.67 ;Team Lab, supplies-244.00 ;TEI Landmark Audio, books-136.50 ;Tom Panek, prof services-237.50 ;Unum Life Ins., insurance-159.90 ;UPS, postage-34.33 ;US Post Office, postage-723.44 ;Valley Motors, vehicle maintenance-94.60 ;Venture Communications, utilities-424.09 ;Verizon Wireless, cell phone-168.19 ;Wellmark Blue Cross Blue Shield, health ins-13,718.47 ;West River Telecommunications, phone-1,867.41 ;Western Communications, radio maintenance-39.59 ;WW Tire Service, tires-414.08.

Salaries: Administration-6935.10; City Administrator-3982.54; Police Department-45527.26; Fire Department – 500.00; Street Department-8201.60; Library-5544.12; Auditorium-2258.75; Zoning – 500.00; 24/7-396.79; Water Department-13994.99; Sewer Department-7505.17; and Airport – 2448.00.

There being no further business to come before the council, the meeting adjourned at 6:34 PM on a motion by Henderson, second by Carlson and carried.

Heather Beck, Finance Officer
Published once at the total approximate cost of \$

Jamie Dietterle, Mayor